

REMARKS

Claim 1 has been amended to overcome the objections set forth in paragraph 4 of the last office action.

Claim 1 is rejected under Section 103 based on the Kato reference taken all by itself. However, Kato has nothing about the pair of analog to digital converters coupled to the third pair of stereo channels. In Kato, the analog to digital converters and the digital to analog converters are coupled to the same so-called stereo pairs, according to the rejection.

Therefore, Kato fails to teach the claimed invention. He does not teach the analog to digital converters coupled to the third stereo channel pairs or that one of the mixers is also coupled to the pair of analog to digital converters.

In view of these remarks, reconsideration of the rejection of claim 1 is respectfully requested.

Claim 5 was rejected over the combination of Kato and Wymore. However, the rejection is based on a 102(e) application of Wymore. Wymore is commonly owned with the assignee of the present application. Namely, at the time the inventions were made, the inventors in the Wymore case and this case had an obligation to assign to the same assignee. Therefore, the Section 103 rejection based on Wymore should be reconsidered.

Claim 12 was rejected under Section 102(e) as being anticipated by Kato. However, in Kato, the inputs are converted to digital signals. Those digital signals are then processed by phase shifters. Thereafter, the signals are converted back to analog form in the digital to analog converters 21 and then sent. However, at paragraph 4, lines 41-48, it is evident that there is no providing an analog output for each audio program. Instead, a composite output is provided.

Therefore, reconsideration of the Section 102 rejection is respectfully requested.


Claim 17 was rejected under Section 103 based on Kato alone. However, Kato does not teach programmably changing the assignment of the programs to the ports. The Examiner suggests that the assignment of ports can be changed by removing the microphones, but this would not meet the claim requirement of programmably enabling the assignment of the programs to the ports to be changed.

Essentially, a single reference Section 103 rejection is probably almost never sufficient. The reference cannot also teach what it does not teach. Therefore, a *prima facie* rejection is not made out.

In view of these remarks, reconsideration is respectfully requested.

Respectfully submitted,

Date: September 9, 2004



Timothy M. Trop, Reg. No. 28,994
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880 [Phone]
713/468-8883 [Fax]